



ENVIRONMENTAL SERVICES
1190 Corporate Center Dr.
Oconomowoc, WI 53066
Tel.: (262) 569-5857

RECEIVED MAY 24 2017

RECEIVED
MAY 30 2017
AWMD/WEMM

May 17, 2017

ES17-L-101
131.3.40

Gary R Witkovski
U.S. EPA Region 7
210 Walnut Street, Room 473
Des Moines, IA 50309-2109

**Re: Response to EPA's Notice of Preliminary Findings, Silgan Containers Manufacturing Corporation, Burlington, IA 52601
EPA ID: IAR000521237**

Dear Mr. Gary R. Witkovski:

Silgan Containers Manufacturing Corporation – Burlington, IA (“Silgan”) responds herein to the above-referenced Notice of Preliminary Findings (NOPF) pursuant to the Resource Conservation and Recovery Act (“RCRA”) inspection on May 2, 2017. The EPA’s NOPF is directed to Silgan’s facility located at 3725 Division St, Burlington, IA 52601.

These responses are based upon a review of company files that are known to likely contain documents, records, and information relevant to the Notice of Preliminary Findings. Silgan reserves the right to supplement this response consistent with EPA’s request.

Finding 1: Failure to label a satellite container with the words “Hazardous Waste” or have its contents identified (40 CFR 262.34(c) (1) (ii)).

- A. Silgan had two drums of Non-Hazardous Solid Draw & Ironed (D&I) Waste without labels on them.

Response: Silgan placed Non-Hazardous Labels on the drums identifying them as Solid Draw & Ironed (D&I) Waste.

Finding 2: Failure to keep a satellite container closed except when adding or removing waste (40 CFR 262.34 (c) (1) (i) – 40 CFR 265.173 (a)).

- A. Silgan had a satellite container holding Non-Hazardous Solid D&I waste open with the drum lid resting on top of the drum.

Response: Silgan closed the drum with a locking drum ring.

RCRA 05/17/2017



564212

Finding 3: Failure to mark a hazardous waste container with an accumulation start date (40 CFR 262.34 (a) (2)).

- A. Silgan had eight (8) containers, holding Hazardous Liquid D&I waste, without dates on the hazardous waste labels.

Response: Silgan placed dates on the drum labels. Dates were traced back to when the coatings were run.

Finding 4: Failure to have adequate weekly inspections at a hazardous waste container accumulation area (40 CFR 262.34 (a) (1) (i) - 40 CFR 265.17).

- A. Silgan performed weekly inspections and documented them, but overlooked several drums when performing the inspection(s).

Response: Silgan placed dates on the drum when they were generated. Dates were traced back to when certain coatings were run. Retraining on waste inspections was performed on May 4, 2017.

Finding 5: Failure to provide adequate aisle space for type of container management and emergency equipment used (40 CFR 262.34(a) (4), 265.35).

- A. Hazardous waste containers were stored at the time of inspection with the inability to walk around the containers.

Response: Silgan positioned the drums with 3 feet of aisle space on each side of the containers.

Pursuant to EPA's NOPF, Silgan may produce records, documents, or copies in support of the responses above.

We trust the information provided sufficiently responds to the EPA's request to respond to the Notice of Preliminary Findings. Should you require any further information or if you have questions, please call me at 262-569-5857 or contact me at jkania@silgancontainers.com.

Thank You.



Jonathan Kania
Environmental Services
Silgan Containers Manufacturing Corporation

CC: Kenneth Herstowski

Finding 1 & Finding 2: Corrective Action Supporting Evidence



NON DOT-HAZARDOUS MATERIAL

NON-DOT REGULATED MATERIAL USED OIL PER 40 CFR 279

NAME: USED OIL

HS: 151840-1

LN:

USED OIL

DOC:

LOC:

TRK:

PROP:

PC:

EPA ID: W8990521237

DATE:

SILGAN CONTAINERS MANUFACTURING CORPORATION

1705 DIVISION ST.

MURKIN, LA 70601

CHRY DEPT.

CHRY OWNER:

START DATE:

CHRY ITEM:





Analytical Report

ENVision Laboratories, Inc.
1439 Sadlier Circle West Drive
Indianapolis, IN 46239
Tel: 317.351.8632
Fax: 317.351.8639
www.envisionlaboratories.com

Client Name: SILGAN CONTAINERS

Project ID: BURLINGTON WASTE

Client Project Manager: JONATHAN KANIA

ENVision Project Number: 2017-804

Analytical Method: TCLP* VOC Method 5035A/8260B

Prep Method: EPA 1311

Analytical Batch:

Client Sample ID: SOLID D & I WASTE

Envision Sample Number: 17-5537

Sample Matrix: solid

Sample Collection Date/Time: 3/22/17 15:00

Sample Received Date/Time: 3/24/17 10:20

<u>Compounds</u>	<u>Sample Results (mg/L)</u>	<u>Reporting Limit (mg/L)</u>	<u>Flags</u>
Benzene	0.14	0.1	
Methyl ethyl ketone (MEK)	< 0.2	0.2	
Carbon Tetrachloride	< 0.1	0.1	
Chlorobenzene	< 0.1	0.1	
Chloroform	< 0.1	0.1	
1,2-Dichloroethane	< 0.1	0.1	
1,1-Dichloroethene	< 0.1	0.1	
Tetrachloroethene	< 0.1	0.1	
Trichloroethene	< 0.1	0.1	
Vinyl Chloride	< 0.04	0.04	
Dibromofluoromethane (surrogate)	102%		
1,2-Dichloroethane-d4 (surrogate)	92%		
Toluene-d8 (surrogate)	100%		
4-bromofluorobenzene (surrogate)	90%		
Analysis Date/Time:	3-27-17/18:07		
Analyst Initials	gjd		

* TCLP analysis is not included in our NELAC accreditation.



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Tel: 317.351.8632
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Client Name: SILGAN CONTAINERS

Project ID: BURLINGTON WASTE

Client Project Manager: JONATHAN KANIA

ENVision Project Number: 2017-804

Analytical Method: TCLP* BNA Compounds Method 3510C/8270C

Prep Method: EPA 1311

Analytical Batch: 032717TCLP

Client Sample ID: SOLID D & I WASTE

Envision Sample Number: 17-5537

Sample Matrix: solid

Sample Collection Date/Time: 3/22/17 15:00

Sample Received Date/Time: 3/24/17 10:20

<u>Compounds</u>	<u>Sample Results (mg/L)</u>	<u>Reporting Limit (mg/L)</u>	<u>Flags</u>
1,4-Dichlorobenzene	< 0.1	0.1	
2,4-Dinitrotoluene	< 0.1	0.1	
Hexachlorobenzene	< 0.1	0.1	
Hexachlorobutadiene	< 0.1	0.1	
Hexachloroethane	< 0.1	0.1	
o-Cresol	< 0.1	0.1	
m&P-Cresol	< 0.1	0.1	
Nitrobenzene	< 0.1	0.1	
Pentachlorophenol	< 0.5	0.5	
Pyridine	< 0.5	0.5	
2,4,5-Trichlorophenol	< 0.1	0.1	
2,4,6-Trichlorophenol	< 0.1	0.1	
2-Fluorophenol (surrogate)	21%		
Phenol-d6 (surrogate)	58%		
Nitrobenzene-d5 (surrogate)	37%		
2-Fluorobiphenyl (surrogate)	58%		
2,4,6-Tribromophenol (surrogate)	33%		
p-Terphenyl-d14 (surrogate)	47%		
Analysis Date/Time:	3-29-17/09:44		
Analyst Initials:	ajg		
Date Extracted:	3/27/2017		
Initial Sample Volume:	200 mL		
Final Volume:	1.0 mL		

* TCLP analysis is not included in our NELAC accreditation.



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Client Name: SILGAN CONTAINERS

Project ID: BURLINGTON WASTE

Client Project Manager: JONATHAN KANIA

ENVision Project Number: 2017-804

Analytical Method: TCLP* Metals 6010B ICP / 7471A Mercury

Prep Method: EPA 1311

Client Sample ID: SOLID D & I WASTE

Envision Sample Number: 17-5537

Sample Matrix: solid

Sample Collection Date/Time: 3/22/17 15:00

Sample Received Date/Time: 3/24/17 10:20

<u>Compounds</u>	<u>Sample Results (mg/L)</u>	<u>Reporting Limit (mg/L)</u>	<u>Flags</u>
Arsenic	< 0.01	0.01	
Barium	< 0.1	0.1	
Cadmium	< 0.005	0.005	
Chromium	< 0.01	0.01	
Lead	0.075	0.01	
Mercury	< 0.002	0.002	
Selenium	< 0.01	0.01	
Silver	< 0.05	0.05	

Analysis Date/Time: 3-28-17/14:15

Analyst Initials: gjd

Date Digested: 3/27/2017

Initial Sample Volume: 50 ml

Final Volume: 50 ml

Analytical Batch: 032817icp

Hg Analysis Date/Time: 3-28-17/11:21

Hg Analyst Initials: ajg

Date Digested: 3/28/2017

Initial Sample Volume: 50 ml

Final Volume: 50 ml

Analytical Batch: 032817hg

* TCLP analysis is not included in our NELAC accreditation.



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Client Name: SILGAN CONTAINERS

Project ID: BURLINGTON WASTE

Client Project Manager: JONATHAN KANIA

ENVision Project Number: 2017-804

Client Sample ID:	SOLID D & I WASTE	Sample Collection Date/Time:	3/22/17	15:00
Envision Sample Number:	17-5537	Sample Received Date/Time:	3/24/17	10:20
Sample Matrix:	solid			

<u>Analyte</u>	<u>Sample Results</u>		<u>Flags</u>	<u>Method</u>
pH	8.55	@ 25 deg C	N	9045C
Analysis Date/Time:	03-24-17/12:30			
Analyst Initials	LLL			



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Client Name: SILGAN CONTAINERS

Project ID: BURLINGTON WASTE

Client Project Manager: JONATHAN KANIA

ENVision Project Number: 2017-804

Client Sample ID:	SOLID D & I WASTE	Sample Collection Date/Time:	3/22/17	15:00
Envision Sample Number:	17-5537	Sample Received Date/Time:	3/24/17	10:20
Sample Matrix:	solid			

Analyte

Flash Point—Closed Cup

Sample Results

Flash @ 140 deg F

Wrong Method

Flags **Method**

N 4010A-M

Analysis Date/Time: 3/27/2017

Analyst Initials jc



Eurofins SF Analytical Laboratories
2345 S. 170th St.
New Berlin, WI 53151-2701
www.eurofinsus.com
Tel +1 262 754 5300
Fax: +1 262 754 5310

CERTIFICATE OF ANALYSIS

Silgan Containers
Attn: Johnathan Kania
3725 Division St
Burlington, IA 52601

Client Code: TK0000586
PO Number:
Report Date: 05/03/2017
Entry Date: 04/28/2017



Eurofins Sample Code: 200-2017-04280008

Sample Condition: Acceptable
Sample Description: Solid D&I Waste B

Test	Result	Method Reference
TK442 - Flash Point-Small Scale CC ASTM D3278 Flash Point, Small Scale Closed Cup	>233 °F	ASTM D 3278/D 3828

Respectfully Submitted,
Eurofins Scientific, Inc.

Joshua Rhein
Chemistry Manager

Results shown in this report relate solely to the item submitted for analysis.
All results are reported on an "As Received" basis unless otherwise stated.
Reports shall not be reproduced except in full without written permission of
Eurofins Scientific, Inc.

Jonathan Kania

From: dnorris@envisionlaboratories.com
Sent: Wednesday, May 10, 2017 7:23 AM
To: Jonathan Kania
Subject: RE: Solid D&I Waste

Jon,

We are in the process of re-running the flashpoints. I believe we have figured out the error. I watched the analyst run the flashpoint on one of the samples and it produced a blue "halo" around the opening of the cup. The analyst mistakenly recorded that as the flashpoint. It is not.

I am asking our QA officer to observe the re-running of the samples and will get you the revised results as soon as I can.

I apologize for this error and will get it fixed ASAP.

Thank you,
David E. Norris
Client Services Manager
ENVision Laboratories, Inc.
1439 Sadlier Circle West Drive
Indianapolis, IN 46239
ph: 317-351-8632
fax: 317-351-8639

Confidentiality Notice: The information contained in this message is intended for the use of the addressee, and may be confidential and/or privileged. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately.

----- Original Message -----

Subject: RE: Solid D&I Waste
From: Jonathan Kania <JKania@Silgancontainers.com>
Date: Mon, May 08, 2017 3:29 pm
To: "dnorris@envisionlaboratories.com"
<dnorris@envisionlaboratories.com>

David,

We suspect something is wrong with these results. We submitted split samples of the same material to another lab in which it tested out at 233F. They used ASTM 3278 and Envision used 1010A-M. If you could please give us a detailed reason for the difference.

Thanks.

Jonathan Kania, CHMM
Environmental Services
Silgan Containers
Office: 262.569.5857
Cell: 630.418.2079



Analytical Report

ENVision Laboratories, Inc.
1439 Sadlier Circle West Drive
Indianapolis, IN 46239
Tel: 317.351.8632
Fax: 317.351.8639
www.envisionlaboratories.com

Client Name: SILGAN CONTAINERS

Project ID: SOLID D & I WASTE

Client Project Manager: JON KANIA

ENVision Project Number: 2017-1157

Client Sample ID:	SOLID D & I WASTE A	Sample Collection Date/Time:	4/27/17	8:00
Envision Sample Number:	17-7846	Sample Received Date/Time:	4/28/17	10:15
Sample Matrix:	solid			

<u>Analyte</u>	<u>Sample Results</u>	<u>Flags</u>	<u>Method</u>
Flash Point - Closed Cup	No Flash @ 212 deg F	N	1010A-M
Analysis Date/Time:	5/11/2017		
Analyst Initials	JC		

Finding 3 & Finding 4: Corrective Action Supporting Evidence

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)

D001

WS: 151842-4

LN:

MTN:

LOC:

TRX:

PROF:

PC:

CNTR:

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION

3725 DIVISION ST.

BURLINGTON, IA 52601

CUST DEPT:

CUST CNTR:

CUST ITEM:

START DATE:

4/1/17

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)
D001

WS: 151842-4

MTN:

LOC:

TRX:

PROF:

PC:

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION

3725 DIVISION ST.

BURLINGTON, IA 52601

CNTR:

CUST DEPT:

CUST CNTR:

CUST ITEM:

3/1/00
START DATE:

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993 WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)
D001

WS: 151842-4

LINE:

MTN:

LOC:

TRX:

PROF:

PC:

CNTR:

EPA ID: IAR000521237

GILSAN CONTAINERS MANUFACTURING CORPORATION
3725 DIVISION ST.
BURLINGTON, IA 52601

CUST DEPT:

CUST CNTR:

CUST ITEM:

START DATE: 3/1/17

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993.WASTE FLAMMABLE LIQUIDS, N.O.S.,3,PGII,(BUTANOL,METHYL ISOBUTYL KETONE),ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)
D001

WS: 151842-4

MTN:

LN:

LOC:

TRX:

PROF:

PC:

CNTR:

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION

3725 DIVISION ST.

BURLINGTON, IA 52601

CUST DEPT:

CUST ITEM:

CUST CNTR:

START DATE:

3-21-17

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)
D001

WS: 151842-4

LN:

MTN:

LOC:

TRX:

PROF:

PC:

ONTR:

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION
3725 DIVISION ST.
BURLINGTON, MA 01803

CUST DEPT:

CUST USE:

CUST ONTR:

START DATE: 7-17-77

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)
D001

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION
3725 DIVISION ST.
BURLINGTON, IA 52601

CUST DEPT:

CUST ITEM:

CUST CNTR:

WS: 151842-4

MTN:

LOC:

TRX:

PROF:

PC:

CNTR:

LN:

START DATE:

2-10-17

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)

WS: 151842-4

MTN:

LN:

LOC:

TRX:

PROF:

PC:

CNTR:

EPA ID: IAR000521237

DELGAM CONTAINERS MANUFACTURING CORPORATION

2725 DIVISION ST.

EVINGTON, IA 52601

CUST DEPT:

CUST ITEM:

CUST CNTR:

START DATE:

3/5/17

HAZARDOUS WASTE

UN1993

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. If found, contact the nearest Police or Public Safety authority or the U.S. Environmental Protection Agency.

UN1993, WASTE FLAMMABLE LIQUIDS, N.O.S., 3, PGII, (BUTANOL, METHYL ISOBUTYL KETONE), ERG#128

NAME: LIQUID D&I WASTE (SOLVENT)

10001

WS: 151842-4

MTN:

LN:

LOC:

TRX:

PROF:

PC:

CNTR:

EPA ID: IAR000521237

SILGAN CONTAINERS MANUFACTURING CORPORATION

3725 DIVISION ST.

BURLINGTON, IA 52601

CUST DEPT:

CUST ITEM:


CUST CNTR:

START DATE:

4-2-17

Kelly Morris Retraining 5-4-17

Travis - Travis Baysinger
TB

Burlington, IA Weekly Hazardous Waste Storage Area Inspection												
Month:												
Inspector:												
Signature:												
Week Ending:												
Hazardous Waste Storage Area												
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Container(s)	Are any containers open?											
	Are any containers severely rusted?											
	Are any container heads bulging?											
	Are any containers dented so the integrity is compromised?											
	Are any containers leaking?											
Container(s) Marking and Labeling	Accumulation start date marked on all container(s)?											
	Hazardous waste warning label on all container(s)?											
	Does the description on the container label match the contents?											
	Are labels legible and in good condition?											
Container(s)	Labels of previous contents removed or obscured?											
	Is adequate aisle space (18") present?											
	Are containers stored with labels facing outward?											
	Are incompatible containers separated from each other? (example: no acids by caustics and no oxidizers by flammables)											
Inside Store Area	Is the area secured? Doors, gates closed, locked?											
	Does the containment area have structural defects?											
	Are there any leaks or residues on the floor?											
Is area identified as Hazardous Waste Storage Area?												
Corrective Actions:												
Satellite Accumulation Area(s)												
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Container(s) Condition	Are containers closed?											
	Are any containers severely rusted?											
	Are any container heads bulging?											
	Are any containers dented so the integrity is compromised?											
	Are any containers leaking?											
Container(s) Marking and Labeling	Are non-self closing funnels closed and latched?											
	Hazardous waste warning label on all container(s)?											
	Does the description on the container label match the contents?											
	Are labels legible and in good condition?											
Container(s) Storage	Labels of previous contents removed or obscured?											
	Are FULL satellite area containers greater than 3 days old?											
	Is the accumulation point free of severe structural deterioration?											
	Is adequate aisle space (18") present?											
Are drip pans and pails empty?												
Corrective Actions:												
Emergency Response Equipment												
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Telephone	Is telephone easily accessible in case of emergency?											
	Is telephone in working order?											
	Are emergency numbers posted nearby?											
Spill Control	Is an empty salvage drum nearby and readily accessible?											
	Is unused absorbent material nearby and readily accessible?											
	Is all personal protective equipment nearby? (example: gloves, boots, apron, goggles)											
Fire Safety	Is a fire extinguisher nearby, in tact, & readily accessible?											
Corrective Actions:												

Kelly Morris

Finding 5: Corrective Action Supporting Evidence





CERTIFIED MAIL



7016 0340 0000 1398 1926

**RETURN RECEIPT
REQUESTED**



1000



50309

U.S. POSTAGE
PAID
OCONOMOWOC, WI
53066
MAY 19, 17
AMOUNT
\$7.50
R2303S104122-18

**F
R
O
M**



1190 Corporate Center Drive
Oconomowoc, Wisconsin 53066

**T
O**

Gary R. Witkowski
U.S. EPA Region 7
Neal Smith Federal Building
210 Walnut Street, Room 473
Des Moines, IA 50309-2109

*closed
5/23*